

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA

UNITED STATES OF AMERICA)	CR No.: 3:08-1264-JFA
)	
v.)	CORRECTIVE
)	ORDER
CHARLIE BELLS, JR.)	
_____)	

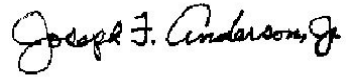
This court has previously denied the defendant's motion for a reduction of his sentence pursuant to 18 U.S.C. § 3582 and in light of Amendment 750 to the United States Sentencing Guidelines.

The court's order denying the defendant's motion incorrectly indicated that the amount of crack cocaine attributable to the defendant was in excess of 150 kilograms. The defendant has moved the court to reconsider, suggesting that the presentence report in his case held him accountable for only 19.7 kilograms of crack cocaine. The defendant is correct that the court's order denying his motion contained an error in that it indicated that the defendant was sentenced based upon more than 150 grams of crack cocaine. The order should have said that the amount of crack cocaine attributable to the defendant was in excess of 8.4 kilograms. A sentence based upon a finding of 8.4 kilograms or more of crack cocaine yields the conclusion that the defendant's sentencing guidelines did not change as a result of Amendment 705. Thus, the court's decision to deny the motion was correct, although it was premised upon an improper factual statement. Having correct the factual misstatement, the court hereby reaffirms its decision to deny the motion because the defendant's guidelines have not been lowered as a result of Amendment 705.

The defendant's motion to reconsider (ECF No. 105) is denied and the order of this court dated January 17, 2012 is hereby modified as indicated in this order.

IT IS SO ORDERED.

April 9, 2012
Columbia, South Carolina

A handwritten signature in black ink, reading "Joseph F. Anderson, Jr." in a cursive script.

Joseph F. Anderson, Jr.
United States District Judge